

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TYLO JEROME FELIX, JR.,

Plaintiff,

v.

C. CAZORES, et al.,

Defendants.

Case No.: 1:24-cv-00332-JLT-SKO

**ORDER REGARDING DEFENDANTS'
MOTION TO STAY DISCOVERY AND
DISPOSITIVE MOTION DEADLINES**

(Doc. 27)

Plaintiff Tylo Jerome Felix, Jr., is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's constitutional claims against Defendants Cazores, Smotherman, Diaz, Velasquez, and Arreazola.

I. RELEVANT BACKGROUND

The Court issued its Discovery and Scheduling Order on August 23, 2024. (Doc. 17.) The remaining deadlines include the discovery cut-off deadline of January 23, 2025, and the dispositive motion filing deadline of March 24, 2025. (*See id.*)

On January 3, 2025, Defendants filed a Motion for Summary Judgment for Failure to Exhaust Administrative Remedies, contending Plaintiff failed to exhaust his administrative remedies prior to filing suit. (Doc. 26.)¹

¹ Plaintiff's opposition or statement of non-opposition is due January 24, 2025, plus time for mailing. See Local Rule 230(l).

1 On January 15, 2025, Defendants filed a motion seeking to stay the discovery deadline
2 and the dispositive motion filing deadline. (Doc. 27.) A response by Plaintiff is unnecessary.

3 II. DISCUSSION

4 Defendants move for a stay of the discovery and dispositive motion deadlines. Defendants
5 have filed a motion for summary judgment alleging Plaintiff failed to exhaust his administrative
6 remedies. Defendants note that Plaintiff's opposition is due January 24, 2025, one day after the
7 current discovery cut-off deadline. Because the exhaustion motion may be dispositive of the
8 action, Defendants ask the Court to stay the remaining deadlines until it rules on the pending
9 exhaustion motion.

10 A district court has the inherent power to stay its proceedings. This power to stay is
11 "incidental to the power inherent in every court to control the disposition of the causes on its
12 docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. North*
13 *American Co.*, 299 U.S. 248, 254 (1936); *see also Federal Sav. & Loan Ins. Corp. v. Molinaro*,
14 889 F.2d 899, 902 (9th Cir. 1989) ("A court may decide to stay the civil case when required by
15 the interests of justice").

16 Here, the Court finds a stay of the deadline for the completion of discovery and for the
17 filing of dispositive motions promotes judicial economy. *Landis*, 299 U.S. at 254. Staying the
18 discovery and dispositive motion deadlines will allow the Court to issue a final ruling on the
19 pending exhaustion motion in due course without disruption of those remaining deadlines. If
20 Defendants' summary judgment motion regarding exhaustion is granted, the deadlines for the
21 completion of discovery and the filing of dispositive motions would be mooted. However, if
22 Defendants' motion is denied, the Court will reimpose the relevant deadlines and discovery will
23 continue.

24 III. CONCLUSION AND ORDER

25 Accordingly, the Court **HEREBY ORDERS** that:

- 26 1. Defendants' motion to stay the discovery and dispositive motion deadlines (Doc. 27)
27 is **GRANTED**; and
28

- 1 2. The deadlines for the completion of discovery and for the filing of dispositive motions
2 are **STAYED**. Those deadlines will be reimposed following final resolution of
3 Defendants' summary judgment motion concerning exhaustion, if necessary.

4
5 IT IS SO ORDERED.

6 Dated: **January 16, 2025**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE